

## A G E N D A



## Recommendation for Council Action

Austin City Council	Item ID	11171	Agenda Number	25.
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Meeting Date:	12/15/2011	Department:	Public Works
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## Subject

Authorize negotiation and execution of a Community Facilities and Cost Reimbursement Agreement between the City of Austin and 3rd & Brazos, LP, a Texas limited partnership for the 3rd Street Right-of-Way Improvements for an amount not to exceed \$1,500,000.

## Amount and Source of Funding

Funding in the amount of \$1,395,000 is available in the Fiscal Year 2011-2012 Capital Budget of the Public Works Department. Funding in the amount of \$105,000 is available in the Fiscal Year 2011-2012 Capital Budget of the Austin Water Utility.

## Fiscal Note

Fiscal note is attached.

Purchasing Language:	
Prior Council Action:	
For More Information:	Gordon Bowman, 974-2346; Keri Burchard-Juarez, 974-7298; Susan Garnett, 974-7064
Boards and Commission Action:	
MBE / WBE:	
Related Items:	

## Additional Backup Information

3<sup>rd</sup> & Brazos, LP owns a tract on the north side of 3<sup>rd</sup> Street between Brazos Street and San Jacinto Boulevard (shown in attached exhibit) on which it plans to build condominiums. The City of Austin Public Works Department, as a part of its 2010 Bond Program, plans to improve the right-of-way of an eight block section of 3<sup>rd</sup> Street from Nueces Street to Trinity Street, including the portion of 3<sup>rd</sup> Street abutting the proposed condominiums. Reconstruction of the street, implementation of the Lance Armstrong Bikeway and streetscape improvements will be included in the 3<sup>rd</sup> Street right-of-way improvements. In order to avoid conflicts between the two construction projects, the City and 3<sup>rd</sup> & Brazos, LP have negotiated the phasing of the right-of-way improvements to construct the one block from Brazos Street to San Jacinto Boulevard as Phase I and the remaining two blocks between Congress Avenue and Trinity Street as Phase II. The five blocks of 3<sup>rd</sup> Street west of Congress Avenue will be constructed by the Public Works Department as a future project.

The City has determined that the most efficient method of constructing the 3<sup>rd</sup> Street right-of-way improvements east of Congress is to partner with 3<sup>rd</sup> & Brazos. The City and 3<sup>rd</sup> & Brazos, LP have developed the attached Community Facilities and Cost Reimbursement Agreement to define the terms of the agreement. The proposed agreement

encompasses the design and construction of 3<sup>rd</sup> Street from Congress Avenue to Trinity Street including full depth street reconstruction, sidewalk, water utility lines, electric utility lines and landscaping. On-street parking, which exists on some blocks, will be removed and the curb-line will be moved toward the center of the roadway to accommodate an 18 foot wide sidewalk along the south side and a 16 foot wide sidewalk along the north side, street trees and pedestrian-scale lighting. The project will also include the design and construction of the portion of the Lance Armstrong Bikeway within the project limits. Streetscape improvements abutting two sites along 3<sup>rd</sup> Street which are currently being developed will be constructed by developers and thus are not included in this project.

The City will be responsible for the costs of the right-of-way improvements, excluding the costs for design and construction of the streetscape improvements abutting the proposed condominiums, which will be funded by 3<sup>rd</sup> & Brazos, LP. The City's estimated portion of the project cost is \$1,500,000.

3<sup>rd</sup> & Brazos, LP will design Phases I and II of the project. 3<sup>rd</sup> & Brazos, LP will construct Phase I of the project and the City will construct Phase II of the project. Phase I of the project will be bid in compliance with the City's M/WBE Program, Wage Rate Compliance and Worker Safety Training requirements as required by the City's Third Party Agreement Resolution. Phase I is scheduled to start construction in the summer of 2012 and Phase II is scheduled to start construction upon completion of Phase I. This project is managed by the Public Works Department.